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October 11, 2011

VIA ECF and HAND DELIVERY

Hon. Dennis M. Cavanaugh, United States District Judge
Martin Luther King, Jr. Federal Building & U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07101

Re: *In re: Medco/Express Scripts Merger Litigation*
Civil Action No. 11-4211 (DMC) (MF)

Dear Judge Cavanaugh:

We, together with co-counsel Skadden, Arps, Slate, Meagher & Flom LLP, represent Defendants Express Scripts, Inc. and Plato Merger Sub, Inc. (collectively, "Express Scripts") in this consolidated matter.

We write to provide Your Honor with courtesy copies of the following documents which were e-filed with the Court earlier today in the above-referenced action:

- Express Scripts' Reply Memorandum of Law in Support of its Motion For Certification Pursuant to 28 U.S.C. § 1292(b) and Stay Pending Appeal;
- The October 11, 2011 Certification of Joseph P. La Sala, Esq. in further support of Express Scripts' Motion For Certification Pursuant to 28 U.S.C. § 1292(b) and Stay Pending Appeal, with Exhibit A; and
- The October 11, 2011 Certificate of Service of Joseph P. La Sala.

Our response to Plaintiffs' letter and proposed order dated October 7, 2011, is essentially presented in the Opening Brief in support of Express Scripts' Motion for Certification and the attached Reply Brief. Our position remains that oral argument on Express Scripts' Motion for Certification and

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Plaintiffs' Application for Expedited Discovery should occur prior to the entry of any discovery order.

Respectfully submitted,

/s/ Joseph P. La Sala
Joseph P. La Sala